

ORIGINAL

Approved:



ELIZABETH A. ESPINOSA

Assistant United States Attorney

Before: THE HONORABLE BARBARA C. MOSES
United States Magistrate Judge
Southern District of New York

19MAG 6247

- - - - - X

UNITED STATES OF AMERICA : 19 Mag. _____

- v. - : RULE 5(c)(3)
: AFFIDAVITJOSEPH BRANT, :
: _____Defendant. :
: _____

- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss:

BRENDAN M. KEEGAN, being duly sworn, deposes and says that he is a Deputy United States Marshal and charges as follows:

1. On or about May 28, 2019, the United States District Court for the Middle District of Pennsylvania issued a warrant for the arrest (the "Arrest Warrant") of "Joseph Brant" based on a petition from the Probation Office in the Middle District of Pennsylvania, alleging that "Joseph Brant" violated the terms of his supervised release. A copy of the Arrest Warrant and the petition are attached as Exhibit A hereto and incorporated by reference herein.

2. I believe that JOSEPH BRANT, the defendant, who was transferred into federal custody on July 3, 2019, in the Southern District of New York, is the same person as the "Joseph Brant" who is wanted by the United States District Court for the Middle District of Pennsylvania.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

3. I am a Deputy United States Marshal assigned to the New York/New Jersey Fugitive Task Force. I have been personally involved in determining whether JOSEPH BRANT, the defendant, is the same individual as the "Joseph Brant" named in

the Arrest Warrant. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

4. Based on my review of documents from the United States District Court for the Middle District of Pennsylvania, I know that, on or about May 28, 2019, the United States District Court for the Middle District of Pennsylvania issued the Arrest Warrant. The Arrest Warrant was based on a petition from the Probation Office in the Middle District of Pennsylvania, alleging that "Joseph Brant" violated the terms of his supervised release.

5. On July 3, 2019, at approximately 10:30 a.m., JOSEPH BRANT, the defendant, was transferred to federal custody. I asked BRANT to confirm his name and he stated that his name is "Joseph Brant."

6. I reviewed a photograph of the "Joseph Brant" named and sought in the Arrest Warrant obtained from a law enforcement database. Based on my personal observations, the photograph obtained from a law enforcement database appears to depict JOSEPH BRANT, the defendant.

[Intentionally Left Blank]

7. Accordingly, I believe that the "Joseph Brant" sought in the Arrest Warrant is the defendant, JOSEPH BRANT.

WHEREFORE, I respectfully request that JOSEPH BRANT, the defendant, be imprisoned or bailed as the case may be.



BRENDAN M. KEEGAN
Deputy United States Marshal
United States Marshal Service

Sworn to before me this
3rd day of July, 2019.



THE HONORABLE BARBARA C. MOSES
United States Magistrate Judge
Southern District of New York

EXHIBIT A

U.S. Department of Justice
United States Marshals Service



DETAINER
BASED ON VIOLATION OF PROBATION AND/OR SUPERVISED RELEASE

United States Marshal
Southern District of New York
(District)

500 Pearl Street, Suite 400
New York, NY 10007
212-331-7152
(Return Address and Phone)

Please type or print neatly.

TO: Sheriff / Warden / Inmate Records
NYDOC, Manhattan Detention Complex
125 White Street
New York, NY 10013

DATE: 13 June 2019
SUBJECT: BRANT, JOSEPH
AKA: William, David; Griffin, James; Grant, Joseph
DOB/SSN: 10/22/1966 097-54-0328
REF. # NY04309122Z **ARREST #:** M19626831
USMS #: 72612-067 **FID#:** 9796865
CR #: 15CR156

Please accept this Detainer against the above-named subject who is currently in your custody. The United States District Court for the MIDDLE District of PENNSYLVANIA has issued an arrest warrant charging the subject with **violation of the conditions of probation and/or supervised release**.

Prior to the subject's release from your custody, please notify this office at once so that we may assume custody if necessary. If the subject is transferred from your custody to another detention facility, we request that you forward our Detainer to said facility at the time of transfer and advise this office as soon as possible.

The notice and speedy trial requirements of the Interstate Agreement on Detainers Act do NOT apply to this Detainer, which is based on a **Federal probation/supervised release violation warrant**.

Please acknowledge receipt of this Detainer. Please provide one copy of this Detainer to the subject and FAX one copy to this office at 212-637-6131.

FAX No.

| |
|----------------------|
| RECEIPT |
| <i>Date:</i> _____ |
| <i>Signed:</i> _____ |
| <i>By:</i> _____ |
| <i>Title:</i> _____ |

Very truly yours,

Desiree West-Corbin
(Signature)

Desiree West-Corbin, IRA

(Name and Title)

Requested by: Michael Greco, United States Marshal

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AO 442 (Rev. 5/93) Warrant for Arrest

UNITED STATES DISTRICT COURT

Middle

District of

Pennsylvania

UNITED STATES OF AMERICA

WARRANT FOR ARREST

V.

JOSEPH BRANT

Case Number: 3:15-CR-156

To: The United States Marshal
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest Joseph Brant

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

 Indictment Information Complain Order of court Violation Probation Violation Petition

charging him or her (brief description of offense)

VIOLATION OF CONDITIONS OF SUPERVISED RELEASE

in violation of Title 18 United States Code, Section(s) 3148(b)JAMES M. MUNLEY

Name of Issuing Officer

Signature of Issuing Officer

UNITED STATES DISTRICT JUDGE

Title of Issuing Officer

MAY 28, 2019 at Scranton, Pennsylvania

Date and Location

Bail fixed at \$ _____ by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant _____

| | | |
|----------------|-------------------------------------|--------------------------------|
| DATE RECEIVED | NAME AND TITLE OF ARRESTING OFFICER | SIGNATURE OF ARRESTING OFFICER |
| DATE OF ARREST | | |

Prob.12e-MDPA (1/2014)

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
PROBATION OFFICE

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Joseph Brant

Docket Number: 3:15-CR-156

Name of Sentencing Judicial Officer: James M. Munley
United States District Judge

Date of Original Sentence: June 2, 2016

Original Offense(s): 18 U.S.C. § 2250(a): Failure to Register as a Sex Offender, a Class C Felony

Original Sentence: 41 Months in Prison
60 Months Supervised Release
\$100 Special Assessment (\$75 balance)

On September 26, 2018, supervision was revoked and Joseph Brant was sentenced to 8 months imprisonment and a 5 year term of supervised release for violating the conditions of his supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: February 7, 2019

Expected End Date: February 6, 2024

Maximum Sentence Upon Revocation: 2 Years imprisonment and Life term of Supervised Release

PETITIONING THE COURT

To issue a warrant
 To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number: **Nature of Noncompliance:**

Standard Condition #5

You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Prob.12c-MDPA (11/2014)

Standard Condition #6

You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.

Additional Condition #5

The defendant shall comply with the registration requirements of the sex offender registration agency in any state where he resides, is employed, carries on a vocation, or is a student, and shall comply with all other requirements of the Sex Offender Registration and Notification Act.

On February 7, 2019, Joseph Brant was released from the Bureau of Prisons and commenced supervision in the Southern District of New York. He reported that he resided at the Clarke Thomas Men's Shelter, New York, New York.

On February 19, 2019, the probation office attempted to make contact with Joseph Brant at the Clarke Thomas Men's Shelter. The probation officer was informed that the subject left earlier that date and has not returned.

On February 25, 2019, Joseph Brant reported to the probation office. He was questioned about not returning to the shelter on February 19, 2019, and admitted to leaving the shelter to locations unknown and was not forthcoming regarding his whereabouts. The subject was directed to return to the approved shelter upon leaving the probation office. Joseph Brant failed to return to the shelter on this date, but did return the following day, February 26, 2019.

On May 10, 2019, the probation office attempted to make contact with Joseph Brant at the Clarke Thomas Men's Shelter. The probation officer was advised that the subject left the shelter on April 29, 2019, and has not returned or left a forwarding address. The probation officer called the subject's cell phone and left a voice message.

On May 15, 2019, the probation office returned to the Clarke Thomas Men's Shelter to check if Joseph Brant had returned. The probation officer was advised that the subject failed to return to the shelter.

On May 16, 2019, the probation office made contact with the New York City Police Department's New York State Sex Offender Unit. Detectives with the New York State Sex Offender Unit confirmed that Joseph Brant still had the Clarke Thomas Men's Shelter as his registered address. Detectives also confirmed with staff at the shelter that the last date Joseph Brant was at the shelter was April 29, 2019. Detectives report there is an open investigation on Joseph Brant's failure to register as required with the state sex offender registration.

To date, Joseph Brant has failed to make contact with the probation office and the New York State Sex Offender Unit. His whereabouts are unknown.

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Prob.12c-MDPA (11/2014)

Additional Condition #1

You must participate in a sex offense specific treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.) which could include an evaluation and completion of any recommended treatment.

On March 13, 2019, Joseph Brant attended his intake appointment at the Counseling and Psychology Center, Inc, Brooklyn, New York, and was recommended to attend weekly treatment sessions.

On May 21, 2019, the probation officer spoke with Joseph Brant's sex offender therapist and was informed that the subject failed to attend treatment sessions on May 9, 2019 and May 17, 2019. The last treatment session he attended was on April 25, 2019.

United States Probation Officer Recommendation:

The term of supervision should be
 Revoked
 extended for ___ months, for a total term of ___ months.

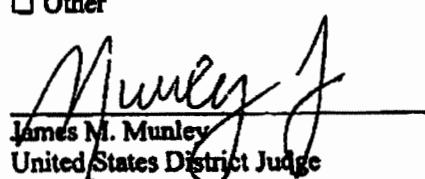
I declare under penalty of perjury that the foregoing is true and correct.

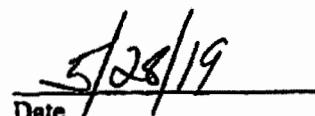
Executed on:

/S/ Karen A. Hunt May 21, 2019
Senior United States Probation Officer

THE COURT ORDERS:

No action
 The issuance of a Warrant and that this Petition and Order be sealed until the Warrant is lodged as a detainer.
 The issuance of a Warrant and that the Warrant and this Petition and Order be sealed until the defendant's arrest.
 The issuance of a summons
 Other


James M. Munley
United States District Judge


Date 5/28/19

U.S. Department of Justice
United States Marshals Service



DETAINER BASED ON VIOLATION OF PROBATION AND/OR SUPERVISED RELEASE

United States Marshal
Southern District of New York
(District)

500 Pearl Street, Suite 400
New York, NY 10007
212-331-7152
(Return Address and Phone)

Please type or print neatly:

TO: Sheriff / Warden / Inmate Records
NYDOC, Manhattan Detention Complex
125 White Street
New York, NY 10013

DATE: 13 June 2019

SUBJECT: BRANT, JOSEPH

AKA: William, David; Griffin, James; Grant, Joseph

DOB/SSN: 10/22/1966 097-54-0328

REF. # NY04309122Z **ARREST #:** M19626831

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Desiree West-Corbin, IRA

(Name and Title)

Requested by: Michael Greco, United States Marshal

Case 3:15-cr-00156-JMM Document 78 *SEALED* Filed 05/28/19 Page 1 of 2

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UNITED STATES DISTRICT COURT

Middle

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UNITED STATES OF AMERICA

WARRANT FOR ARREST

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and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Indictment Information Complain Order of court Violation Probation Violation Petition

charging him or her (brief description of offense)

VIOLATION OF CONDITIONS OF SUPERVISED RELEASE

in violation of Title 18 United States Code, Section(s) 3148(b)JAMES M. MUNLEY UNITED STATES DISTRICT JUDGE

Name of Issuing Officer Title of Issuing Officer

Munley J MAY 28, 2019 at Scranton, Pennsylvania

Signature of Issuing Officer Date and Location

Bail fixed at \$ _____ by _____
Name of Judicial Officer

RETURN

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| | | |
|----------------|-------------------------------------|--------------------------------|
| DATE RECEIVED | NAME AND TITLE OF ARRESTING OFFICER | SIGNATURE OF ARRESTING OFFICER |
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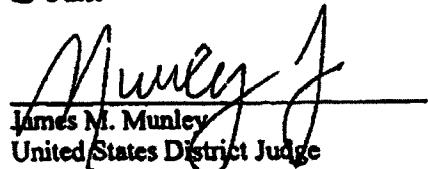
I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

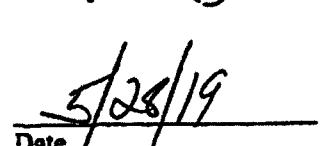
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 The issuance of a summons
 Other


James M. Munley

United States District Judge


Date

5/28/19